



1 DAVID PARDO
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5 (505) 633-7918 FAX
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7 DAVID PARDO, IN PRO PER

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 JAMES MURTAGH, M.D.,) C.D.Cal. 2:15-cv-05204-MMM-FFM
13)
14 Plaintiff,)
15) **ANSWER TO COMPLAINT**
16 v.)
17)
18 DAVID PARDO, et al.,)
19)
20 Defendant)

21 Defendant, DAVID PARDO (hereinafter "Defendant"), provides this
22 answer to Plaintiff's complaint, as follows:

- 23 1. Defendant admits that Dr. James Murtagh is the plaintiff in this
24 case. Defendant is without knowledge or information sufficient to form a
25 belief as to whether plaintiff is a resident of Los Angeles, and therefore
26 denies that portion of paragraph 1.
27 2. Admitted.
28

1 3. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 3 and therefore denies them.

4
5 4. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 4 and therefore denies them.

8
9 5. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 5 and therefore denies them.

12
13 6. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 6 and therefore denies them.

16
17 7. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19 7 and therefore denies them.

20
21
22 8. Defendant admits the first sentence in paragraph 8. Defendant
23 denies that he and plaintiff have ever established an attorney-client
24 relationship, including in June 2012.

25
26 9. Denied.

1 10. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 10 and therefore denies them.
4

5 11. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 11 and therefore denies them.
8

9 12. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 12 and therefore denies them.
12

13 13. Defendant admits the first sentence in paragraph 13. Defendant
14 denies in full the second sentence in paragraph 13.
15

16 14. Denied.
17

18 15. Denied.
19

20 16. Denied.
21

22 17. Defendant is without knowledge or information sufficient to form a
23 belief as to the truth of each and every allegation contained in paragraph
24 17 and therefore denies them.
25

26 18. Denied.
27

28 19. Defendant is without knowledge or information sufficient to form a
 belief as to the truth of each and every allegation contained in paragraph

1 19 and therefore denies them. Defendant denies in full the last sentence
2 in paragraph 19.

3
4 20. Defendant is without knowledge or information sufficient to form a
5 belief as to the truth of each and every allegation contained in paragraph
6 20 and therefore denies them.

7
8 21. Defendant is without knowledge or information sufficient to form a
9 belief as to the truth of each and every allegation contained in paragraph
10 21 and therefore denies them.

11
12 22. Defendant is without knowledge or information sufficient to form a
13 belief as to the truth of each and every allegation contained in paragraph
14 22 and therefore denies them.

15
16 23. Denied.

17
18 24. Denied.

19 25. Denied.

20 a. Denied.

21 b. Denied.

22 c. Denied.

23 d. Denied.

24 e. Denied.

25 f. Denied.

1 g. Denied.

2 26. Defendant is without knowledge or information sufficient to form a
3 belief as to the truth of each and every allegation contained in paragraph
4 26 and therefore denies them.

5
6 27. Defendant is without knowledge or information sufficient to form a
7 belief as to the truth of each and every allegation contained in paragraph
8 27 and therefore denies them.

9
10 28. Defendant is without knowledge or information sufficient to form a
11 belief as to the truth of each and every allegation contained in paragraph
12 28 and therefore denies them.

13
14 29. Defendant is without knowledge or information sufficient to form a
15 belief as to the truth of each and every allegation contained in paragraph
16 29 and therefore denies them.

17
18 30. Denied.

19 31. Denied.

20
21 32. Defendant is without knowledge or information sufficient to form a
22 belief as to the truth of each and every allegation contained in paragraph
23 32 and therefore denies them.

1 33. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 33 and therefore denies them.
4

5 34. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 34 and therefore denies them.
8

9 35. Denied.

10 36. Defendant is without knowledge or information sufficient to form a
11 belief as to the truth of each and every allegation contained in paragraph
12 36 and therefore denies them.
13

14 37. Defendant is without knowledge or information sufficient to form a
15 belief as to the truth of each and every allegation contained in paragraph
16 37 and therefore denies them.
17

18 38. Defendant is without knowledge or information sufficient to form a
19 belief as to the truth of each and every allegation contained in paragraph
20 38 and therefore denies them.
21

22 39. Defendant is without knowledge or information sufficient to form a
23 belief as to the truth of each and every allegation contained in paragraph
24 39 and therefore denies them.
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1 40. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 40 and therefore denies them.
4

5 41. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 41 and therefore denies them.
8

9 42. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 42 and therefore denies them.
12

13 43. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 43 and therefore denies them.
16

17 44. Denied.
18

19 45. Defendant is without knowledge or information sufficient to form a
20 belief as to the truth of each and every allegation contained in paragraph
21 45 and therefore denies them.
22

23 46. Defendant is without knowledge or information sufficient to form a
24 belief as to the truth of each and every allegation contained in paragraph
25 46 and therefore denies them.
26
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28

1 47. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 47 and therefore denies them.

4
5 48. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 48 and therefore denies them, including every subpart.

8
9 49. Denied.

10
11 50. Defendant is without knowledge or information sufficient to form a
12 belief as to the truth of each and every allegation contained in paragraph
13 50 and therefore denies them.

14
15 51. Defendant is without knowledge or information sufficient to form a
16 belief as to the truth of each and every allegation contained in paragraph
17 51 and therefore denies them.

18
19 52. Defendant is without knowledge or information sufficient to form a
20 belief as to the truth of each and every allegation contained in paragraph
21 52 and therefore denies them.

22
23 53. Defendant is without knowledge or information sufficient to form a
24 belief as to the truth of each and every allegation contained in paragraph
25 53 and therefore denies them.

1 54. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 54 and therefore denies them.
4

5 55. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 55 and therefore denies them.
8

9 56. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 56 and therefore denies them.
12

13 57. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 57 and therefore denies them.
16

17 58. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19 58 and therefore denies them.
20

21 59. Defendant is without knowledge or information sufficient to form a
22 belief as to the truth of each and every allegation contained in paragraph
23 59 and therefore denies them.
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1 60. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 60 and therefore denies them.
4

5 61. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 61 and therefore denies them.
8

9 62. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 62 and therefore denies them.
12

13 63. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 63 and therefore denies them.
16

17 64. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19 64 and therefore denies them.
20

21 65. Defendant is without knowledge or information sufficient to form a
22 belief as to the truth of each and every allegation contained in paragraph
23 65 and therefore denies them.
24
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26
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1 66. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 66 and therefore denies them.
4

5 67. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 67 and therefore denies them.
8

9 68. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 68 and therefore denies them.
12

13 69. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 69 and therefore denies them.
16

17 70. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19 70 and therefore denies them.
20

21 71. Defendant is without knowledge or information sufficient to form a
22 belief as to the truth of each and every allegation contained in paragraph
23 71 and therefore denies them.
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1 72. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3 72 and therefore denies them.

4
5 73. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7 73 and therefore denies them.

8
9 74. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11 74 and therefore denies them.

12
13 75. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15 75 and therefore denies them.

16
17 76. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19 76 and therefore denies them.

20
21 77. Defendant is without knowledge or information sufficient to form a
22 belief as to the truth of each and every allegation contained in paragraph
23 77 and therefore denies them.

1 78. Defendant is without knowledge or information sufficient to form a
2 belief as to the truth of each and every allegation contained in paragraph
3
4 78 and therefore denies them.

5 79. Defendant is without knowledge or information sufficient to form a
6 belief as to the truth of each and every allegation contained in paragraph
7
8 79 and therefore denies them.

9 80. Defendant is without knowledge or information sufficient to form a
10 belief as to the truth of each and every allegation contained in paragraph
11
12 80 and therefore denies them.

13 81. Defendant is without knowledge or information sufficient to form a
14 belief as to the truth of each and every allegation contained in paragraph
15
16 81 and therefore denies them.

17 82. Defendant is without knowledge or information sufficient to form a
18 belief as to the truth of each and every allegation contained in paragraph
19
20 82 and therefore denies them.

21
22 **AFFIRMATIVE DEFENSES**

- 23 1. Defendant asserts the affirmative defense of statutory fair use.
24 2. Defendant asserts the affirmative defense of nominative fair use.
25 3. Defendant asserts the affirmative defense of First Amendment.
26 4. Defendant asserts the affirmative defense of unclean hands.
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28

1
2 Defendant demands a jury trial.
3
4

5 WHEREFORE, Defendant prays that this Court dismiss the Complaint of
6 the plaintiff herein, with costs and disbursements to defendant, together with
7 such other relief the Court finds to be just and proper.
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9

10 DATED: August 11, 2015
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12

13 Respectfully submitted,
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16 DAVID PARDO
17 In Pro Per
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CERTIFICATE OF SERVICE

I hereby certify that Defendant's Answer was sent this, the 11th day of August, 2015, and within 21 days of Plaintiff's July 30, 2015 service of process, to each of the following:

By U.S. Mail:

Steven D. Smith, Esq.
SDSmith, Esquire, PLLC
125 N. Main St., #500-353
Blacksburg, VA 24060
Plaintiff's counsel

U.S. District Court
Central District of California
312 N. Spring St., Rm G-8, Civil Intake
Los Angeles, CA 90012

Respectfully submitted,

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